

NATIONAL RECOVERY ADMINISTRATION

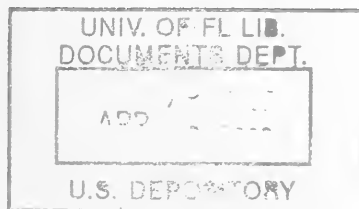
AMENDMENT TO SUPPLEMENTARY
CODE OF FAIR COMPETITION

FOR THE

LOCOMOTIVE APPLIANCE
INDUSTRY

(A Division of the Machinery and Allied Products Industry)

AS APPROVED ON FEBRUARY 13, 1935



UNITED STATES
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Approved Code No. 347L—Amendment No. 1

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION

FOR THE

LOCOMOTIVE APPLIANCE INDUSTRY

As Approved on February 13, 1935

ORDER

APPROVING AMENDMENT OF SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE LOCOMOTIVE APPLIANCE INDUSTRY, A DIVISION OF THE MACHINERY AND ALLIED PRODUCTS INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Supplementary Code of Fair Competition for the Locomotive Appliance Subdivision of the Machinery and Allied Products Industry, and opportunity to be heard having been duly noticed to all interested parties and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, and otherwise, does hereby incorporate, by reference, said annexed report and does find that said amendment and the Code as constituted after being amended, comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Supplementary Code is hereby amended to include an approval of said Supplementary Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer*.

Approval recommended:

BARTON W. MURRAY,
Division Administrator.

WASHINGTON, D. C.,
February 13, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: Under the Supplementary Code of Fair Competition for the Locomotive Appliance Subdivision of the Machinery and Allied Products Industry as approved on June 5, 1934, the Code Authority for said Subdivision has submitted the Amendment which is included and attached.

The Amendment provides that no manufacturer shall make any product of the Industry, identical with that originally designed by another manufacturer and bearing his name or trademark, without clearly showing, by tag or otherwise, that such product was not made by the original manufacturer; also, that detailed drawings of the products of the Industry shall not be furnished to purchasers, though general drawings may be so furnished.

Opportunity to be heard was duly noticed to all interested parties. No objections were received.

FINDINGS

The Assistant Deputy Administrator in his final report on said Amendment to said Supplementary Code having found as herein set forth and on the basis of all proceedings in this matter,

It is found that:

(a) The Amendment to said Supplementary Code and the Supplementary Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act, including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Supplementary Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Locomotive Appliance Institute was and is an industrial association truly representative of the aforesaid Industry and that said association imposed and imposes no inequitable restrictions on admission to membership therein and consents to this amendment.

(d) The amendment and the Supplementary Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Supplementary Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, therefore, this amendment has been approved.
For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

FEBRUARY 13, 1935.

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE LOCOMOTIVE APPLIANCE INDUSTRY

A DIVISION OF THE MACHINERY AND ALLIED PRODUCTS INDUSTRY

PURPOSE

Pursuant to Article VIII, Section (b) of the Supplementary Code of Fair Competition for the Locomotive Appliance Industry, a Division of the Machinery and Allied Products Industry, duly approved on June 5, 1934, and further to effectuate the policies of Title I of the National Industrial Recovery Act, the following amendment is established as a part of said Supplementary Code of Fair Competition and, upon approval, shall be binding upon every member of the Locomotive Appliance Industry.

AMENDMENTS

Amend Article VI by the addition thereto of Sections 4 and 5, as follows:

4. So long as the maker (or his successor in business) of any product of this Subdivision bearing the maker's name or trademark, which has required special designing, research or development expense continues to make and supply such spare, repair and replacement parts therefor, no employer shall make or sell repair parts for such product of this Subdivision unless such repair parts shall be plainly marked on each part (or if this is impracticable on the package or tag) so that the ultimate user is clearly informed by such markings on parts, packages, tags and in catalogues, price lists, quoted prices, of such parts that said parts were not made by the original maker of the products of this Subdivision.

5. No employer shall furnish to any purchaser and/or his agent, directly or indirectly, detailed or working drawings of any of the products of this Subdivision. This does not prohibit an employer from furnishing general drawings with such details as may be customarily shown thereon.

Approved Code No. 347L—Amendment No. 1.
Registry No. 1399-G5A.

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